

OCT 07 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: W. GOBUSH

Attorney Docket No: 20002.0162

Application No.: 10/002,174

Group Art Unit: 3713

Filed: December 5, 2001

Examiner: K. Nguyen

For: PERFORMANCE MEASUREMENT SYSTEM
WITH FLUORESCENT MARKERS FOR GOLF
EQUIPMENT

TERMINAL DISCLAIMER UNDER 37 CFR § 1.321(c)

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Petitioner, Sean P. O'Hanlon, represents that he is one of the attorneys of record for Acushnet Company, the assignee of the entire right, title and interest in and to the above-identified application by virtue of an assignment to Acushnet Company from William GOBUSH, Diane PELLETIER, Mitchell E. LUTZ, and Laurent C. BISSONNETTE that was recorded at Reel 012349 / Frame 0238 on December 5, 2001.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of U.S. Patent No. 5,758,759, filed February 14, 2001, from application no. 09/782,278, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,758,759.

Petitioner further agrees that this agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,758,759 in the event that any such patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title and stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of Acushnet Company.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: October 7, 2004

By: 

Sean P. O'Hanlon, Registration No. 47,252
Attorney for Assignee Acushnet Company

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, NW, Suite 1000
Washington, D.C. 20007
(202) 424-7500 Telephone
(202) 295-8478 Facsimile